From: Jim Campbell
To: "Berwick, Benjamin L. (CIV)"; Butch Bowers; Kyle Duncan; Kisch, Lori (CRT)
Cc: John M Gore; Elizabeth Gill; Gene Schaerr; Jon Davidson; James M Burnham; Tara Borelli; Vivek Suri; Christopher Brook; Wilkens, Scott B.; Stephens, Bob; njfrancisco@jonesday.com; Thomas C. Shanahan; Carolyn Pratt; Gardner, Joshua E (CIV); Stoughton, Corey (CRT); Pellegrino, Whitney (CRT); Cummings, Torey (CRT); Lieber, Sheila (CIV); Caleb Dalton
Subject: RE: HB2 - discovery and meet and confer scheduling
Date: Wednesday, August 3, 2016 12:50:01 PM
Attachments: logoa94dd6

Ben,

Thanks for your email. We can make either of those times work.

ALLIANCE DEFENDING FREEDOM
FOR FAITH. FOR JUSTICE.

Jim Campbell
Senior Counsel, Director of Center for Marriage and Family
480-444-0020 (Office)
480-388-8146 (Direct Dial)
480-444-0028 (Fax)
jcampbell@ADFlegal.org
ADFlegal.org

From: Berwick, Benjamin L. (CIV) [mailto:Benjamin.L.Berwick@usdoj.gov]
Sent: Wednesday, August 03, 2016 9:35 AM
To: Butch Bowers; Kyle Duncan; Kisch, Lori (CRT)
Cc: John M Gore; Elizabeth Gill; Gene Schaerr; Jon Davidson; James M Burnham; Tara Borelli; Vivek Suri; Christopher Brook; Wilkens, Scott B.; Bob Stephens; njfrancisco@jonesday.com; Thomas C. Shanahan; Carolyn Pratt; Gardner, Joshua E (CIV); Stoughton, Corey (CRT); Pellegrino, Whitney (CRT); Cummings, Torey (CRT); Lieber, Sheila (CIV); Jim Campbell; Caleb Dalton
Subject: RE: HB2 - discovery and meet and confer scheduling

Adding counsel for North Carolinians for Privacy.

Jim and Caleb, as you'll see below, we're trying to schedule times for two meet and confers on August 5 and August 8. We have proposed Friday at 10:30am and Monday between 10-12am, and so far those times seem to work for all parties.

Best,

Ben Berwick
Trial Attorney
U.S. Department of Justice
Civil Division, Federal Programs Branch
(617) 748-3129

From: Butch Bowers [mailto:Butch@ButchBowers.com]
Sent: Wednesday, August 03, 2016 7:15 AM

To: Kyle Duncan; Berwick, Benjamin L. (CIV); Kisch, Lori (CRT)
Cc: John M Gore; Elizabeth Gill; Gene Schaerr; Jon Davidson; James M Burnham; Tara Borelli; Vivek Suri; Christopher Brook; Wilkens, Scott B.; Bob Stephens; njfrancisco@jonesday.com; Thomas C. Shanahan; Carolyn Pratt; Gardner, Joshua E (CIV); Stoughton, Corey (CRT); Pellegrino, Whitney (CRT); Cummings, Torey (CRT); Lieber, Sheila (CIV)
Subject: Re: HB2 - discovery and meet and confer scheduling

Same for counsel for the Governor. Thanks Lori.

From: Kyle Duncan <kduncan@schaerr-duncan.com>
Sent: Wednesday, August 3, 2016 7:12:12 AM
To: Berwick, Benjamin L. (CIV); Kisch, Lori (CRT)
Cc: John M Gore; Elizabeth Gill; Gene Schaerr; Jon Davidson; Butch Bowers; James M Burnham; Tara Borelli; Vivek Suri; Christopher Brook; Wilkens, Scott B.; bob.stephens@nc.gov; njfrancisco@jonesday.com; Thomas C. Shanahan; Carolyn Pratt; Gardner, Joshua E (CIV); Stoughton, Corey (CRT); Pellegrino, Whitney (CRT); Cummings, Torey (CRT); Lieber, Sheila (CIV)
Subject: Re: HB2 - discovery and meet and confer scheduling

Lori,

Thanks for your email yesterday. The times you mention on Aug 5 and 8 work for the legislative intervenors.

Regards,
Kyle

Kyle Duncan
SCHAERR | DUNCAN LLP
1717 K Street NW, Suite 900 | Washington, DC 20006
202-787-1060 (office) | 202-714-9492 (mobile)
KDuncan@Schaerr-Duncan.com | www.Schaerr-Duncan.com

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> On Aug 2, 2016, at 9:18 PM, Berwick, Benjamin L. (CIV) <Benjamin.L.Berwick@usdoj.gov> wrote:
>
> Adding Sheila Lieber, from the DOJ Civil Division, Federal Programs Branch, to this email chain.
>
> **From:** John M Gore [mailto:jmgore@JonesDay.com]
> **Sent:** Tuesday, August 02, 2016 9:15 PM
> **To:** Kisch, Lori (CRT); 'Cc: Kyle Duncan'; 'Elizabeth Gill'; 'Gene Schaerr'; 'Jon Davidson'; Butch Bowers; 'James M Burnham'; 'njfrancisco@jonesday.com'; 'Tara Borelli'; 'Vivek Suri'; 'Christopher Brook'; Wilkens, Scott B.; bob.stephens@nc.gov; njfrancisco@jonesday.com; Thomas C. Shanahan; Carolyn Pratt
> **Cc:** Gardner, Joshua E (CIV); Berwick, Benjamin L. (CIV); Stoughton, Corey (CRT); Pellegrino, Whitney (CRT); Cummings, Torey (CRT)

Subject: RE: HB2 - discovery and meet and confer scheduling

Lori:

Thanks for your email. Counsel for the UNC Defendants are available during all of those proposed times.

Please include Tom Shanahan and Carolyn Pratt of UNC, copied here, on these emails.

Thanks.

This e-mail (including any attachments) may contain information that is private, confidential, or protected by attorney-client or other privilege. If you received this e-mail in error, please delete it from your system without copying it and notify sender by reply e-mail, so that our records can be corrected.

----- Message from "Kisch, Lori (CRT)" <Lori.Kisch@usdoj.gov> on Tue, 02 Aug 2016 21:26:47 GMT -----

From:	"Kisch, Lori (CRT)" <Lori.Kisch@usdoj.gov>
To:	"John M Gore" , "Cc: Kyle Duncan" , "Elizabeth Gill" , "Gene Schaerr" , "Jon Davidson" , "Butch Bowers" , "James M Burnham" , "njfrancisco@jonesday.com" <'njfrancisco@jonesday.com'>, "Tara Borelli" , "Vivek Suri" , "Christopher Brook" , "Wilkens, Scott B." , bob.stephens@nc.gov, njfrancisco@jonesday.com, "Wilkens, Scott B."
CC:	"Gardner, Joshua E (CIV)" , "Berwick, Benjamin L. (CIV)" , "Stoughton, Corey (CRT)" , "Pellegrino, Whitney (CRT)" , "Cummings, Torey (CRT)"
Subject:	HB2 - discovery and meet and confer scheduling

Counsel,

We have two meet and confers coming up on August 5 and August 8. The Department of Justice is available on Friday August 5 after 10:30. On August 8, a call between 10:00-12:00 works best for us if that will work for others. Just let us know what time will work for everyone.

Also, DOJ would like to request that all discovery be served via email (except doc production). Although we already have agreement in the Rule 26(f) Report that all discovery requests will be served via email, we request to expand that. As some of you may know, all mail that is sent to DOJ is sent through an irradiation process which can delay, by weeks, our receiving our mail. Thus, service by email will ensure that we receive the discovery in a timely manner. We also request that any document production be produced via Fedex as that will help us avoid the irradiation process which not only delays our receipt of the documents, but can also destroy documents and/or CDs which go through that process. We appreciate everyone's accommodation on this.

Please also let me know if I have left anyone off this email who should have been included.

Thanks.

Lori

Lori B. Kisch
Special Litigation Counsel
Civil Rights Division
U.S. Department of Justice
601 D Street, N.W.
Washington, D.C. 20579
(202) 305-4422

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